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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,245	01/12/2006	Valery Vasilievich Ovchinnikov	U 015669-9	2657
140 7590 LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023		10/16/2007	EXAMINER YACOB, SISAY	
			ART UNIT	PAPER NUMBER
			2612	
		MAIL DATE	DELIVERY MODE	
		10/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/530,245	OVCHINNIKOV, VALERY VASILIEVICH
<b>Examiner</b>	<b>Art Unit</b>	
Sisay Yacob	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05 March 2003.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-9 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All   b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

1 The application of Ovchinnikov "Method for forming and transmitting signals" filed on March 5, 2003 been examined.

**Claims 1- 9 are pending.**

### Claim Rejections - 35 USC § 103

2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3 The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4 Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent of Morita (0122432 B1) in view of the U.S. Patent of Oberstein et al. (4,543,565).

5 As claims 1 and 7, Morita discloses a method of forming and transmitting signals from a fire alarm unit (Figure 1) to a receiving-monitoring instrument (Figure 2) via a bipolar communication line (Items  $l_1$  and  $l_2$ ) with the aid of a transmitting device (Item 6) which is a part of the alarm unit (Col. 2, lines 39-44), the method comprising self-testing of the operability of the alarm unit components and determining the value of a monitored fire factor (Col. 1, lines 23-33), characterized in that the alarm unit is additionally provided with a gate and a logic device (Item 4), with the aid of which the value of the monitored fire factor is compared with the permissible value, while the signals indicating the operability of the alarm unit as judged from the results of its self-testing and indicating that the permissible value of the monitored fire factor has been exceeded are transmitted (Col. 1, line 53 – Col. 2, line 44).

However, Morita does not expressly disclose the transmission being in an analog mode.

Oberstein et al. discloses a method of forming and transmitting signals from a fire alarm unit (Item M) to a receiving-monitoring instrument (Item Z) that transmits in an analog mode (Col. 1, line 66 - Col. 2, line 2Col. 2, line 46; Col. 3, lines 63-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit in an analog mode, because Morita discloses the analog signal being converted to before it is transmitted and Oberstein et al. discloses the transmitted signal being in an analog mode. One skilled in the art would be aware of both disclosures, since Morita incorporate the disclosure of Oberstein et al. and it would have been a designer's choice, as it is conventional to use analog transmitting mode in the art.

6 As claim 2, Morita discloses the signal indicating that the permissible value of the monitored fire factor has been exceeded is transmitted by varying and fixing the output resistance of the transmitting device (Col. 2, lines 39-54; Col. 6, lines 1-19).

7 As claim 3, Morita discloses the signal indicating correct operation or failure of the alarm unit as judged from the results of its self-testing is transmitted by short-time periodic variation of the output resistance of the transmitting device (Col. 3, lines 32-52).

8 As claim 4, Morita discloses the alarm unit is additionally provided with a normally closed switch (Item SW<sub>1</sub>), connected in parallel to the alarm unit with a device limiting the voltage drop at the alarm unit, the signal indicating correct operation of the alarm unit being transmitted by opening the switch (Col. 4, lines 37-61).

However, Morita does not expressly disclose the voltage drop at the alarm unit to a value of 1.5-6 V.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to set the voltage drop at the alarm unit be at a desired value including the value of 1.5-6 V through experimentation.

9 As claims 5 and 6, Morita discloses the alarm unit is additionally provided with a normally open/closed line switch inserted into a communication line gap after the alarm unit, the communication line is provided with an end resistor, and the signal indicating failure of the alarm unit is transmitted by closing the line switch (Figure 2; Col. 4, line 37 - Col. 5, line 30).

10 As claim 8, Morita discloses the alarm unit is additionally provided with a normally closed switch, connected in parallel to the alarm unit and with a gate connected in series with it, which is open under reverse polarity conditions in the communication line, and the alarm unit operability signal is transmitted by opening the switch (Col. 1, line 53 - Col. 3, line 65).

11 As claim 9, Morita discloses the alarm unit is additionally provided with a normally open line switch inserted into a communication line gap after the alarm unit, the communication line is provided with an end resistor, a gate, open under forward polarity conditions in the communication line, is connected in parallel to

the line switch, and the alarm unit operability signal is transmitted by closing the line switch (Col. 1, line 53 - Col. 3, line 65).

## CONCLUSION

12 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sisay Yacob whose telephone number is (571) 272-8562. The examiner can normally be reached on Monday through Friday 8:00 AM - 4:30 PM.

13 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A. Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

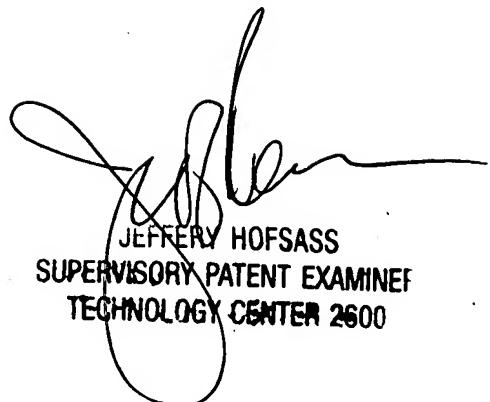
Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

Sisay Yacob

10/12/2007

S.Y.



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